

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	)	<u>CERTIFICATE OF EXPRESS MAIL</u>	
	)		
OTFRIED SCHWARZKOPF	)	I hereby certify that this	
	)	correspondence is being deposited with the	
Serial No. 10/049,732	)	United States Postal Service, with sufficient	
	)	postage, as EXPRESS MAIL - POST	
Filing Date:	)	OFFICE ADDRESSEE, in an envelope	
	)	addressed to: Box PCT, Commissioner for	
Group Art Unit:	)	Patents, Washington, D.C. 20231 on the	
	)	18th day of June 2002. The Express Label	
AXIAL PISTON DRIVE WITH A	)	is EV 097314693 US..	
CONTINUOUSLY ADJUSTABLE	)	<u>Marlene Kubiak</u>	06/18/02
PISTON STROKE	)	Marlene Kubiak	Date

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Box PCT  
 Commissioner for Patents  
 Washington, D.C. 20231

Sir:

This correspondence is responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed April 18, 2002 setting a response date of two months from the date of the Notice or by 22 or 32 months (where 37 CFR 1.495 applies) from the priority date for the application, whichever is later. This correspondence is being submitted within two months from the date of this Notice.

Responsive to the Notification of Missing Requirements mailed April 18, 2002, we enclose the following documents/items.

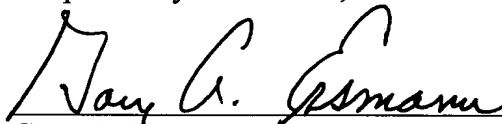
1. A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected office (DO/EO/US).
2. A Declaration in this application executed by the inventor(s). The Declaration includes the name(s) of the inventor(s), the title of the invention, and the International Appln. No. and filing date of the application. The application that the

inventor(s) executed by signing the attached declaration is believed adequately identified in accordance with 1177 OG 60 of August 5, 1995.

4. Payment in the amount of \$1,020 representing the international preliminary examination fee of \$890 and a surcharge of \$130 for furnishing the declaration later than 30 months from the earliest claimed priority date was forwarded with the initial application on January 21, 2002. It is believed that no fees are due at this time. However, if additional fees are required, please charge Andrus, Scales, Starke & Sawall Deposit Account No. 01.2000. A duplicate copy of this submission is attached.

Issuance of a Notice of Acceptance and entry of this application into the National Phase is respectfully requested.

Respectfully submitted,



Gary A. Essmann  
(Reg. No. 29,376)

ANDRUS, SCEALES, STARKE & SAWALL, LLP  
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(414) 271-7590  
Atty. Docket No. 825-162



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/049,732	Otfried Schwarzkope	825-162

INTERNATIONAL APPLICATION NO.

PCT/EP00/08085

I.A. FILING DATE

08/18/2000

PRIORITY DATE

08/18/1999

Gary A Essmann  
Andrus Sceales Starke & Sawall  
100 East Wisconsin Avenue  
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CONFIRMATION NO. 4745

371 FORMALITIES LETTER



\*OC000000007886447\*

Date Mailed: 04/18/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/049,732	PCT/EP00/08085	825-162

FORM PCT/DO/EO/905 (371 Formalities Notice)